NEW JERSEY DEPARTMENT OF TRANSPORTATION

MEMORANDUM

TO: ALL PERSONNEL CONCERNED

Robert K. Suess, Chief Bureau of Roadway Plans and Specifications

SUBJECT: Proposed Attachments

DATE: 10/9/91

TELEPHONE: 5-2574

In an effort to avoid the potential for error with respect to the wrong attachment (State or Federal) being included with the Proposal package, a notation has been added to each attachment. The notation, located on the bottom left of the attachments, includes page numbers and indicates whether the attachment is for State or Federal projects. The two page Proposed Bond is the same in either package so, therefore, no notation was necessary.

Attached is a copy of the respective Proposal attachments. All new Proposals produced from the mainframe after the date of this memorandum will have these attachments incorporated therein.

Robert K. Suess

Attachment

Implementation Code C

RKS:FC:mb

91073 APC

- c: C. Takacs, R. Pege, E. Baker, I. B. Senyk, F. Battaglia,
 - J. Rush, A. Kuchtyak, C. Rebbeck, D. Yacovino, M. Cronin, F. Cocchiola,
 - C. Combs, R. Hansbury, B. Cook, L. Himm, S. Alu, R. Delaney, W. Dixon,
 - J. Fasanella, A. Fischer, Y. Kim, G. Cliver, B. Shah, K. Shelat,
 - A. Krawtschenko, J. Mycock, M. Patel, G. Nicholl, D. Piscopo,
 - M. Ritualo, J. Wincek, K. Zummo, M. DiBenedetti, J. Yeager,
 - R. Farese

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	<pre><pre><pre><pre><pre><pre><pre><pre></pre></pre></pre></pre></pre></pre></pre></pre>	DESCRIPTION	 LINE 5>	

THE BIDDER HEREBY CERTIFIES TO THE BEST OF HIS KNOWLEDGE AND BELIEF AND UNDER FENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND THE STATE OF NEW JERSEY,

I. AFFIRMATIVE ACTION

THAT AN AFFIRMATIVE ACTION PROGRAM OF EQUAL EMPLOYMENT OPPORTUNITY, IN SUPPORT OF PL 1945, C 169, THE NEW JERSEY "LAW AGAINST DISCRIMINATION" AS SUPPLEMENTED AND AMENDED, AS WELL AS IN ACCORDANCE WITH EXECUTIVE ORDER NO. 11246 PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, SEPTEMBER 24, 1965 AND EXECUTIVE ORDER NO. 11625, PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, OCTOBER 13, 1971, AND EXECUTIVE ORDER NO. 11625, PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, OCTOBER 13, 1971, HAS BEEN ADOPTED BY THIS ORGANIZATION TO ENSURE THAT APPLICANTS ARE EMPLOYED, EMPLOYEES ARE TREATED WITHOUT REGARD TO THEIR RACE, COLOR, NATIONAL ORIGIN, SEX OR AGE, AND THAT THE SELECTION AND UTILIZATION OF CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS SHALL BE DONE WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID SHALL BE DONE WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID SHALL BE DONE WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID OF MINORITIES AND THE EXTERNAL RECRUITMENT POLICY REGARDING MINORITY CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS.

- II. THIS SECTION IS DELETED FOR WHOLLY STATE FUNDED PROJECTS.
- III. NON-COLLUBION AND WARRANTY CONCERNING SOLICITATION OF THE CONTRACT BY OTHERS.

THAT THIS PROPOSAL HAS BEEN EXECUTED WITH FULL AUTHORITY SO TO DO; THAT SAID BIDDER HAS NOT, DIRECTLY OR INDIRECTLY, ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE, COMPETITIVE BIDDING IN CONNECTION WITH THE ABOVE NAMED PROJECT; AND THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE STATE OF NEW JERSEY RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDING THE CONTRACT FOR THE SAID PROJECT.

THE BIDDER FURTHER WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE SUCH CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL OR SELLING AGENCIES MAINTAINED BY THE BIDDER. (N.J.S.A. 52:34-15)

IV. THIS SECTION IS DELETED FOR WHOLLY STATE FUNDED PROJECTS.

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- V. THIS SECTION IS RESERVED.
- VI. MINORITY CERTIFICATION

THAT HE HAS OR WILL ENTER INTO A FORMAL AGREEMENT WITH THOSE MINORITY CONTRACTORS FOR THE AMOUNT AND TYPE OF WORK LISTED ON FORM A, SCHEDULE OF MBE OR D/WBE PARTICIPATION CONDITIONED UPON EXECUTION OF THE CONTRACT.

NOTE - INDICATE ONE OF THE FOLLOWING:

- () 1. THE BIDDER DOEB NOT CONTEMPLATE ANY SUBCONTRACTING.
- () 2. THE BIDDER CONTEMPLATES SUBCONTRACTING CERTAIN WORK.
- NOTE THE BIDDERS ATTENTION IS CALLED TO SECTION VIII, PARAGRAPH C AND SECTION IX OF THE DISADVANTAGED AND WOMEN OWNED BUSINESS ENTERPRISE UTILIZATION ATTACHMENT AS ATTACHED TO THE SUPPLEMENTARY SPECIFICATIONS.

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PROPOSAL BOND

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TO WHICH ALL COMMUNICATION IN REGARD TO THIS BOND SHOULD BE ADDRESSED, A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF AND DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF NEW JERSEY, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF NEW JERSEY IN THE PENAL SUM OF FIFTY PERCENT (50%) OF THE AMOUNT BID FOR THE PRO- UNTO THE STATE OF NEW JERSEY IN THE PENAL SUM OF FIFTY PERCENT (50%) OF THE AMOUNT BID FOR THE PRO- UNECT LISTED BELOW, FOR THE PAYMENT OF WHICH WELL AND TRULY TO BE MADE, WE HEREBY JOINTLY AND GEVERALL BIND OURSELVES, OUR HEIR, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.
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NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS BUCH IMM, IF THE BRAY TAXABLE PROPERLY EXECUTE A CONTRACT SECURED BY SATISFACTORY BONDS IN ACCORDANCE WITH THE PROVISIONS OF NJSA 2A:44-143 TO NJSA 2A:44-147 AND THE SPECIFICATIONS FOR THE PROJECT FOR THE FAITHFUL PERFORMANCE THEREOF WITHIN TEN (10) STATE BUSINESS DAYS AFTER BEING NOTIFIED IN WRITING OF THE AWARD OF SUCH ANCE THEREOF WITHIN TEN (10) STATE BUSINESS DAYS AFTER BEING NOTIFIED IN WRITING OF THE SUM, CONTRACT TO THE PRINCIPAL, OR IF THE PRINCIPAL OR SURETY SHALL PAY THE STATE OF NEW JERSEY THE SAID PROPOSAL, NOT EXCEEDING THE PENALTY HEREOF, BY WHICH THE AMOUNT OF THE CONTRACT, COVERING THE SAID PROPOSAL, PROPERLY AND LAWFULLY EXECUTED BY AND BETWEEN THE STATE OF NEW JERSEY AND SOME THIRD PARTY, MAY EXCEED THE AMOUNT BID BY THE PRINCIPAL; THEN THIS OBLIGATION SHALL BE VOID; OTHERWISE IT SHALL REMAIN IN FULL FORCE AND EFFECT.

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CERTIFICATION TO THE AUTHORITY OF THE ATTORNEY IN FACT TO COMMIT THE SURETY COMPANY MUST ACCOMPANY THIS BOND, AND A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID SURETY COMPANY.

(AFFIX CORPORATE SEAL OF SURETY)

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THE DIDDER HEREBY CERTIFIES TO THE BEST OF HIS KNOWLEDGE AND BELIEF AND UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND THE STATE OF NEW JERSEY,

I. AFFIRMATIVE ACTION

THAT AN AFFIRMATIVE ACTION PROGRAM OF EQUAL OPPORTUNITY, IN SUPPORT OF PL 1945, C 169, THE NEW JERSEY "LAW AGAINST DISCRIMINATION" AS SUPPLEMENTED AND AMENDED, AS WELL AS IN ACCORDANCE WITH EXECUTIVE ORDER NO. 11246 PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, BEPTEMBER 24, 1965 AND EXECUTIVE ORDER NO. 11625, PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, OCTOBER 13, 1971, HAS BEEN ADOPTED BY THIS ORGANIZATION TO ENSURE THAT APPLICANTS ARE EMPLOYED, EMPLOYEES ARE TREATED WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE, AND THAT THE SELECTION AND UTILIZATION OF CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS SHALL BE DONE WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID AFFIRMATIVE ACTION PROGRAM ADDDRESSES BOTH THE COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID AFFIRMATIVE ACTION PROGRAM ADDDRESSES BOTH THE INTERNAL RECRUITMENT, EMPLOYMENT AND UTILIZATION OF MINORITIES AND THE EXTERNAL RECRUITMENT INTERNAL RECRUITMENT, EMPLOYMENT AND UTILIZATION OF MINORITIES AND THE EXTERNAL SUPPLIERS AND POLICY REGARDING MINORITY CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS.

II. THE PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE

AND THE FILING OF REQUIRED REPORTS

THAT IF THE BIDDER HAS PARTICIPATED IN A PREVIOUS CONTRACT OR SUBCONTRACT SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE, AS REQUIRED BY EXECUTIVE ORDERS 10925, 11114, OR 11246, ALL REPORTS DUE UNDER THE APPLICABLE FILING REQUIREMENTS HAVE BEEN FILED WITH THE JOINT REPORTING COMMITTEE, THE DIRECTOR OF THE OFFICE OF FEDERAL CONTRACT COMPLIANCE, A FEDERAL GOVERNMENT CONTRACTING OR ADMINISTERING AGENCY, OR THE FORMER PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY.

NOTE: THIS SECTION (II) IS REQUIRED BY THE EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS OF THE SECRETARY OF LABOR (41 CFR 60-1.7(B) (1)) FOR FEDERALLY FUNDED PROJECTS, AND MUST BE CERTIFIED TO BY BIDDERS ONLY IN CONNECTION WITH CONTRACTS AND SUBCONTRACTS WHICH ARE SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE. CONTRACTS AND SUBCONTRACTS WHICH ARE EXEMPT FROM THE EQUAL OPPORTUNITY CLAUSE ARE SET FORTH IN 41 CFR 60-1.5. (GENERALLY ONLY CONTRACTS OR SUBCONTRACTS OF \$10,000 OR UNDER ARE EXEMPT).

CURRENTLY, STANDARD FORM 100 (EEO-1) IS FOR FHWA AND FRA FUNDED PROJECTS AND STANDARD FORMS 100 (EEO-1) AND 257 ARE FOR UMTA FUNDED PROJECTS AS REQUIRED BY EXECUTIVE ORDERS OR THEIR IMPLEMENTING REGULATIONS.

CONTRACTORS WHO HAVE PARTICIPATED IN A PREVIOUS CONTRACT OR SUBCONTRACT SUBJECT TO THE EXECUTIVE ORDERS AND HAVE NOT FILED THE REQUIRED REPORTS SHOULD NOTE THAT 41 CFR 60-1.7(B) (1) PREVENTS THE AWARD OF CONTRACTS UNLESS SUCH CONTRACTOR SUBMITS A REPORT COVERING THE DELINQUENT PERIOD OR SUCH OTHER PERIOD SPECIFIED BY THE PARTICIPATING FEDERAL AGENCY OR BY THE DIRECTOR, OFFICE OF FEDERAL CONTRACT COMPLIANCE, U.S. DEPARTMENT OF LABOR.

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III. NON-COLLUBION AND WARRANTY CONCERNING SOLICITATION OF THE CONTRACT BY OTHERS

THAT THIS PROPOSAL HAS BEEN EXECUTED WITH FULL AUTHORITY SO TO DO; THAT SAID BIDDER HAS NOT, DIRECTLY OR INDIRECTLY, ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE, COMPETITIVE BIDDING IN CONNECTION WITH THE ABOVE NAMED PROJECT; AND THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE STATE OF NEW JERSEY RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDING THE CONTRACT FOR THE SAID PROJECT.

THE BIDDER WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE SUCH CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL OR SELLING AGENCIES MAINTAINED BY THE BIDDER. (N.J.8.A.52:34-15)

IV. CERTIFICATION FOR FEDERAL AID CONTRACTS

THAT NO FEDERAL APPROPRIATED FUNDS HAVE BEEN PAID OR WILL BE PAID, BY OR ON BEHALF OF THE UNDERSIGNED. TO ANY PERSON FOR INFLUENCING OR ATTEMPTING TO INFLUENCE AN OFFICER OR EMPLOYEE OF ANY FEDERAL AGENCY, A MEMBER OF CONGRESS, AN OFFICER OR EMPLOYEE OF CONGRESS, OR OFFICER OR EMPLOYEE OF ANY FEDERAL OR AN EMPLOYEE OF A MEMBER OF CONGRESS IN CONNECTION WITH THE AWARDING OF ANY FEDERAL CONTRACT, THE MAKING OF ANY FEDERAL GRANT, THE MAKING OF ANY FEDERAL LOAN, THE ENTERING INTO OF ANY COOPERATIVE AGREEMENT, AND THE EXTENSION, CONTINUATION, RENEWAL, AMENDMENT, OR MODIFICATION OF ANY FEDERAL CONTRACT, GRANT, LOAN, OR COOPERATIVE AGREEMENT.

THAT IF ANY FUNDS OTHER THAN FEDERAL APPROPRIATED FUNDS HAVE BEEN PAID OR WILL BE PAID TO ANY PERSON FOR INFLUENCING OR ATTEMPTING TO INFLUENCE AN OFFICER OR EMPLOYEE OF ANY FEDERAL AGENCY, A MEMBER OF CONGRESS, AN OFFICER OR EMPLOYEE OF CONGRESS, OR AN EMPLOYEE OF A MEMBER OF CONGRESS IN CONNECTION WITH THIG FEDERAL CONTRACT, GRANT, LOAN, OR COOPERATIVE AGREEMENT, THE UNDERSIGNED SHALL COMPLETE AND SUBMIT STANDARD FORM-LLL, "DISCLOSURE FORM TO REPORT LOBBYING," IN ACCORDANCE WITH ITS INSTRUCTIONS.

THIS CERTIFICATION IS A MATERIAL REPRESENTATION OF FACT UPON WHICH RELIANCE WAS PLACED WHEN THIS TRANSACTION WAS MADE OR ENTERED INTO. SUBMISSION OF THIS CERTIFICATION IS A PREREQUISITE FOR MAKING OR ENTERING INTO THIS TRANSACTION IMPOSED BY SECTION 1352, TITLE 15. U.S. CODE. ANY PERSON WHO FAILS TO FILE THE REQUIRED CERTIFICATION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN \$10,000 AND NOT MORE THAN \$100,000 FOR EACH SUCH FAILURE.

THE PROSPECTIVE PARTICIPANT ALSO AGREES BY SUBMITTING HIS OR HER BID OR PROPOSAL THAT HE OR SHE SHALL REQUIRE THAT THE LANGUAGE OF THIS CERTIFICATION BE INCLUDED IN ALL LOWER TIER SUBCONTRACTS, WHICH EXCEED \$100,000 AND THAT ALL SUCH SUBRECIPIENTS SHALL CERTIFY AND DISCLOSE ACCORDINGLY.

V. THIS SECTION IS RESERVED.

PROJECT	* (PROJECT DESCRIPTION - LINE 1)
VI.	DISADVANTAGED BUSINESS ENTERPRISE CERTIFICATION (DBE) (REQUIRED FOR FHWA PROJECTS)
	THAT HE SHALL MEET THE REQUIREMENTS OF THE DISADVANTAGED BUSINESS ENTERPRISES UTILIZATION ATTACHMENT IN ORDER TO ENSURE THAT DISADVANTAGED BUSINESS ENTERPRISES, AS DEFINED IN THAT ATTACHMENT, HAVE THE MAXIMUM OPPORTUNITY TO COMPETE FOR AND PERFORM SUBCONTRACTS.
vii.	DEBARMENT (REQUIRED FOR FHWA PROJECTS)
	THAT HE AND HIS PRINCIPALS:
	ARE NOT PRESENTLY DEBARRED, SUSPENDED, PROPOSED FOR DEBARMENT, DECLARED INELIGIBLE, OR VOLUNTARILY EXCLUDED FROM COVERED TRANSACTIONS BY ANY FEDERAL DEPARTMENT OR AGENCY;
	HAVE NOT WITHIN A THREE-YEAR PERIOD PRECEDING THIS PROPOSAL BEEN CONVICTED OF OR HAD A CIVIL JUDGMENT RENDERED AGAINST THEM FOR COMMISSION OF FRAUD OR A CRIMINAL OFFENSE IN CONNECTION WITH OBTAINING, ATTEMPTING TO OBTAIN, OR PERFORMING A PUBLIC (FEDERAL, STATE OR LOCAL) TRANSACTION OR CONTRACT UNDER A PUBLIC TRANSACTION; VIOLATION OF FEDERAL OR STATE ANTITRUST STATUTES OR COMMISSION OF EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, MAKING FALSE STATEMENTS, OF RECEIVING STOLEN PROPERTY;
	ARE NOT PRESENTLY INDICTED FOR OR OTHERWISE CRIMINALLY OR CIVILLY CHARGED BY A GOVERN- MENTAL ENTITY (FEDERAL, STATE OR LOCAL) WITH COMMISSION OF ANY OF THE OFFENSES ENUMERATED IN THE ABOVE PARAGRAPH OF THIS CERTIFICATION; AND
	HAVE NOT WITHIN A THREE-YEAR PERIOD PRECEDING THIS PROPOSAL HAD ONE OR MORE PUBLIC TRANSACTIONS (FEDERAL, STATE OR LOCAL) TERMINATED FOR CAUSE OR DEFAULT.
	SHALL INSERT FORM FHWA 1273 IN EACH SUBCONTRACT AND SHALL REQUIRE ITS INCLUSION IN ANY LOWER TIER SUBCONTRACT, PURCHASE ORDER, OR TRANSACTION THAT MAY IN TURN BE MADE.
	WHERE THE BIDDER IS UNABLE TO CERTIFY TO ANY OF THE STATEMENTS IN THIS CERTIFICATION, THE BIDDER SHALL EXPLAIN BELOW.
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REVISE LO/91

PRIME CONTRACTOR WILL NOT RECEIVE CREDIT FOR DBE BROKER PARTICIPATION.

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PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED

AS PRINCIPAL, AND
WITH UNDERWRITING OFFICE AT
TO WHICH ALL COMMUNICATION IN REGARD TO THIS BOND SHOULD BE ADDRESSED, A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE STATE OF AND DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF NEW JERSEY, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF NEW JERSEY IN THE PENAL SUM OF FIFTY PERCENT (50%) OF THE AMOUNT BID FOR THE PRO- JECT LISTED BELOW, FOR THE PAYMENT OF WHICH WELL AND TRULY TO BE MADE, WE HEREBY JOINTLY AND SEVERALLY BIND OURSELVES, OUR HEIR, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.
SIGNED, SEALED AND DATED THIS DAY OF
NINETEEN HUNDRED AND
THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE PRINCIPAL IS HEREWITH SUBMITTING A PROPOSAL FOR:
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NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, IF THE SAID PRINCIPAL SHALL PROPERLY EXECUTE A CONTRACT SECURED BY SATISFACTORY BONDS IN ACCORDANCE WITH THE PROVISIONS OF NUSA 2A:44-143 TO NUSA 2A:44-147 AND THE SPECIFICATIONS FOR THE PROJECT FOR THE FAITHFUL PERFORMANCE THEREOF WITHIN TEN (10) STATE BUSINESS DAYS AFTER BEING NOTIFIED IN WRITING OF THE AWARD OF SUCH CONTRACT TO THE PRINCIPAL, OR IF THE PRINCIPAL OR SURETY SHALL PAY THE STATE OF NEW JERSEY THE SUM, NOT EXCREDING THE PENALTY HEREOF, BY WHICH THE AMOUNT OF THE CONTRACT, COVERING THE SAID PROPOSAL, PROPERLY AND LAWFULLY EXECUTED BY AND BETWEEN THE STATE OF NEW JERSEY AND SOME THIRD PARTY, MAY EXCEED THE AMOUNT BID BY THE PRINCIPAL; THEN THIS OBLIGATION SHALL BE VOID; OTHERWISE IT SHALL REMAIN IN FULL FORCE AND EFFECT.

FORM DC-7A 12/84 PROPOSAL BOND PAGE 2
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PRINCIPAL (ALSO PRINT OR TYPE NAME) (AFFIX CORPORATE SEAL OF PRINCIPAL)
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CERTIFICATION TO THE AUTHORITY OF THE ATTORNEY IN FACT TO COMMIT THE SURETY COMPANY MUST ACCOMPANY THIS BOND, AND A TRUE AND CORRECT STATEMENT OF THE FINANCIAL CONDITION OF SAID SURETY COMPANY.

(ALSO FRINT OR TYPE NAME)
(AFFIX CORPORATE SEAL OF SURETY)